

Registration of Voters (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

Clause.

1. Definition of Parliamentary Voters (Ireland) Act, 1850.
2. Extent of Act.
3. Short title and commencement.

Prevention of frivolous Objections.

4. Notices of objection shall state grounds of objection.
5. Evidence of person objected to.
6. Each ground of objection to be treated as a separate objection.
7. Costs to be awarded not to exceed 5*l*.
8. Proceedings on objections.
9. Occupier to be rated. Constructive payment of rate.

Miscellaneous.

10. Poor rate collectors to enter objections on list. Certain provisions of the 13 & 14 Vict. c. 69. to apply to poor rate collectors.
11. Declaration of lodger to be *prima facie* evidence.
12. Declaration as to misdescription.
13. Penalty for false declaration.
14. Rate when unpaid to be demanded from occupiers.
15. Poor rate collectors to attend revision courts.
16. Remuneration to poor rate collectors.
17. Power of revising barrister to summon witnesses.
18. Evening sittings of revision courts.
19. Register, lists of voters, &c. for counties to contain post towns of places of abode of persons on such register and lists.
20. Precepts, &c. to be made conformable to this Act.

SCHEDULE A.—Form of notice of objection.

SCHEDULE B.

A
B I L L

TO

Amend the Law relating to the Registration of Parliamentary and other Voters in Ireland.

A.D. 1884.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say.)

Preliminary.

5

1. In this Act, the term "the Parliamentary Voters (Ireland) Act, 1850," means the Act passed in the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, as amended by any other Act or Acts.

Definition of Parliamentary Voters (Ireland) Act, 1850.

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2. This Act shall apply to Ireland only. Nothing contained in this Act shall apply to the borough of the University of Dublin.

Extent of Act.

3. This Act may be cited for all purposes as the Registration of Voters (Ireland) Act, 1884, and shall come into operation on the first day of January one thousand eight hundred and eighty-five.

Short title and commencement.

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Prevention of frivolous Objections.

4. Any notice of objection given under sections twenty-six or thirty-six of the Parliamentary Voters (Ireland) Act, 1850, to any person on any list of claimants may be given according to the provisions of either of those sections respectively; but with that exception no notice of objection given under the said Act to any person upon any list of voters shall be valid unless the ground or grounds of objection be specifically stated therein; and this provision shall be deemed to be sufficiently satisfied by naming the column or columns of the register on which the objector grounds his objection, and any objection grounded upon any one of the said columns shall be deemed a separate ground of objection, and such notice may be according to the form in the schedule to this Act annexed, or to the like effect, in substitution for the forms numbered

Notices of objection shall state grounds of objection. See 25 & 26 Vict. c. 36, s. 6.

[Bill 25.]

A 2

A.D. 1884.

(12) in Schedule (A.) and (15) in Schedule (B.) respectively to the Parliamentary Voters (Ireland) Act, 1850.

Evidence of
person ob-
jected to,
28 & 29 Vict.
c. 36, s. 7.

5. No person objected to by a notice under the Parliamentary Voters (Ireland) Act, 1850, as amended by this Act, shall be required to give evidence before the county court judge, chair- 5 man, or revising barrister in support of his right to be registered otherwise than as such right is called in question in the ground or grounds of objection specified in the notice.

Each ground
of objection
to be treated
as a separate
objection.
13 & 14 Vict.
c. 69, s. 63.
28 & 29 Vict.
c. 36, s. 8.

6. Every separate ground of objection in any notice given in accordance with this Act shall be treated by the county court 10 judge, chairman, or revising barrister as a separate objection; and for every such ground of objection which, in the opinion of the county court judge, chairman, or revising barrister, has been groundlessly or frivolously and vexatiously stated, he shall, on the application of the person objected to, or anyone on his behalf, and 15 upon the production of the notice of objection, award costs against the objector to the amount of at least *two shillings and sixpence* and this though the name of the person objected to be expunged upon some other ground of objection stated in the same notice of objection. 20

Costs to be
awarded not
to exceed 5*l*.
28 & 29 Vict.
c. 36, s. 14.
13 & 14 Vict.
c. 69, s. 63.

7. The sum ordered to be paid by way of costs shall not upon any one vote exceed the sum of *five pounds*, and the sixty-second section of the Parliamentary Voters (Ireland) Act, 1850, shall be read as if the words "*five pounds*" had been substituted therein for the words "*twenty shillings*." 25

Proceedings
on objec-
tions.

8. Notwithstanding anything to the contrary contained in the Parliamentary Voters (Ireland) Act, 1850, where any person whose name is on any list of voters for a county, city, town, or borough, (not being a list of claimants,) is duly objected to by some person other than the clerk of the peace, the clerk of the union, the poor 30 rate collector, or the town clerk, the county court judge, chairman, or revising barrister, whether the person objected to does or does not appear before him, shall, before requiring it to be proved that the person so objected to is entitled to have his name inserted in the list of voters for such county, city, town, or borough, or expunging such 35 name, require *prima facie* proof to be given to his satisfaction of some ground of objection against such person, and, for the purpose of determining whether such *prima facie* proof is satisfactory, shall examine the collectors of poor rates, clerk of the union, or any other person who may be present, touching the truth of the alleged 40 ground of objection, and if such *prima facie* proof is not so given to his satisfaction, he shall retain the name of the person objected to in the list of voters.

13 & 14 Vict.
c. 69, s. 55.
41 & 42 Vict.
c. 26, s. 28.

9. In making out any poor rate after the commencement of this Act in respect of any premises situate in any city, town, or borough returning a member or members to serve in Parliament, the guardians of the poor, or other person or persons making out such rate, shall enter in the occupiers column of the rate book the name of the occupier of every hereditament rated at a net annual value of more than *four pounds*, whether the rate is collected from the owner or occupier, or the owner is liable to the payment of the rate instead of the occupier, and such occupier shall be deemed to be duly rated for the purpose of any qualification or franchise depending upon rating; and if any clerk of the union, or other person charged with the making out of the rate, negligently or wilfully, and without reasonable cause, omits the name of the occupier of any such rateable hereditament from the rate, or negligently or wilfully misstates any name therein, such clerk or other person shall, for every such omission or misstatement, be liable, if convicted in a summary manner, to a penalty not exceeding *two pounds*: Provided that any occupier whose name has been omitted shall, notwithstanding such omission, and that no claim to be rated has been made by him, be entitled to every qualification and franchise depending upon rating, in the same manner as if his name had not been so omitted.

A.D. 1886.
Occupier to
be rated.

In every such city, town, or borough every payment of a rate by the owner of any hereditaments rated at a net annual value of over four pounds, whether the owner is himself rated, or is liable to pay the rate, or has agreed with the occupier to pay it, shall be deemed a payment of the rate by the occupier for the purpose of any qualification which, as regards rating, depends upon the payment of the poor rate.

Constructive
payment of
rate.

30

Miscellaneous.

10. The clerk of each poor law union wholly or in part within the limits of any county in Ireland, after he shall have made out the supplemental list in the twentieth section of the Parliamentary Voters (Ireland) Act, 1850, mentioned and directed to be made out, but before transmitting the same to the clerk of the peace of the county as in said section is mentioned, shall deliver such supplemental list to the collector or collectors of poor rate for the barony or division of a barony to which such list relates; and such collector or collectors shall upon such list enter objections before the names of persons contained in such supplemental list, and not entitled to be on the register next to be made, in like manner in all

Poor rate
collectors
to enter
objections
on list.
15 & 16 Vict.
c. 69, s. 20.

A.D. 1884.

respects and in the like cases as in the nineteenth section of the said Act is directed and required with regard to the copy of the register of such barony or division of a barony, and such respective poor rate collector or collectors shall return such lists to the clerk of the union in sufficient time to enable such clerk of the union to deal with them, as is directed by the twentieth section of the said Act. The provisions of the sixty-seventh section of the Parliamentary Voters (Ireland) Act, 1850, shall apply to all poor rate collectors as fully as the same apply to any clerk of the peace or town clerk. Nothing contained in this Act shall be deemed to relieve any clerk of the peace, clerk of a union, or other person from any obligation or duty imposed on him by any of the Acts relating to the registration of parliamentary voters now in force.

Certain provisions of the 15 & 14 Vict. c. 69, to apply to poor rate collectors.

Declaration of lodger to be *prima facie* evidence. 41 & 42 Vict. c. 26, s. 23.

11. In the case of a person claiming to vote as a lodger, the declaration annexed to his notice of claim shall, for the purposes of revision, be *prima facie* evidence of his qualification.

Lodgings occupied by a person in any year, or two successive years, shall not be deemed to be different lodgings by reason only that in that year, or in either of those years, he has occupied some other rooms or place in addition to his original lodgings.

For the purpose of qualifying a lodger to vote, the occupation in immediate succession of different lodgings of the requisite value in the same house shall have the same effect as continued occupation of the same lodgings.

Where lodgings are jointly occupied by more than one lodger, and the clear yearly value of the lodgings if let unfurnished is of an amount which, when divided by the number of the lodgers, gives a sum of not less than *ten pence* for each lodger, then each lodger, if otherwise qualified, and subject to the provisions of the Representation of the People (Ireland) Act, 1868, shall be entitled to be registered, and when registered to vote as a lodger: Provided that not more than two persons, being such joint lodgers, shall be entitled to be registered in respect of such lodgings.

In and for the purposes of the Representation of the People (Ireland) Act, 1868, and this Act, the term "lodgings" shall include any apartments or place of residence, whether furnished or unfurnished, in a dwelling-house.

Declaration as to misdescription. 41 & 42 Vict. c. 26, s. 24.

12. Any person whose name is on any list of voters for a county, city, town, or borough, and whose name or place of abode, or the nature of whose qualification, or the name or situation of whose qualifying property is not correctly stated in such list, or in respect of whom there is any other error or omission in the said list, may,

whether he has received a notice of objection or not, if he thinks fit, make and subscribe a declaration in the form in that behalf in the schedule to this Act, or as near thereto as circumstances will admit, before any justice of the peace, or any commissioner or other person authorised to administer oaths in the Supreme Court of Judicature in Ireland. A.D. 1884.

The declaration shall be duly dated, and shall on or before the twentieth day of August be sent to the town clerk, in the case of cities, towns, or boroughs, or to the clerk of the peace in the case of counties, who forthwith shall indorse on the declaration a memorandum signed or initialled by him, stating the date when he received it, and naming the declarant, and the list to which the declaration refers, and deliver all such declarations to the revising barrister at his first ensuing court.

If the declaration is sent as aforesaid in due time (of which the said indorsement shall be *prima facie* proof) the revising barrister shall receive the declaration as evidence of the facts declared to, and that without proof of the signature of the declarant, or of the justice, commissioner, or person before whom the declaration purports to be subscribed, unless he has good reason to doubt the genuineness of any signature thereto.

The declaration shall be open free of charge to public inspection at the office of the said town clerk, or clerk of the peace, at any time between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, on any day except Sunday, before the eighth day of September, and the said town clerk, or clerk of the peace, shall deliver copies thereof on application and payment of the price of *fourpence* per folio of seventy-two words.

13. If any person falsely or fraudulently signs any such declaration as last aforesaid, or any declaration, either as a claimant or witness, in respect of a claim to vote as a lodger in the name of any other person, whether that person is living or dead, or in a fictitious name, or sends as genuine any false or falsified declaration, knowing the same to be false or falsified, or knowingly or wilfully makes any false statement of fact in any declaration of the nature aforesaid, he shall be guilty of a misdemeanor, and punishable by fine not exceeding *fifty pounds*, or by imprisonment for a term not exceeding *one year*, and the revising barrister shall have power to impound the declaration.

14. (1.) Where any poor rate due previously to the first day of January in any year in respect of any premises capable of conferring the parliamentary franchise for any parliamentary borough

Penalty for
false declaration.
41 & 42 Vict.
c. 26, s. 25.

Rate when
unpaid to
be demanded
from occupiers.

A.D. 1886.

remains unpaid on the *first day of May* following, the guardians of the poor in boroughs other than in Dublin, and in Dublin the collector-general of rates, shall on or before the *twentieth* of the same month of May, unless such rate has been previously paid, give or cause to be given to the occupier of such premises a notice in the 5 form (number one) set forth in the schedule to this Act annexed, or to the like effect. The notice shall be deemed to be duly given if delivered to the occupier or left at his last or usual place of abode, or with some person on the premises in respect of which the rate is payable; and, in case no such person can be found, such 10 notice shall be deemed to be duly given if affixed upon some conspicuous part of the said premises. Any person who shall negligently or wilfully withhold any such notice shall, for every such offence, be liable to a penalty not exceeding *two pounds*, to be recovered by civil bill before the county court judge or recorder 15 within whose jurisdiction such person resides, by the occupier of the premises in question.

(2.) This section shall apply to any such premises as aforesaid, notwithstanding that the immediate lessor or owner thereof is primarily liable to pay the poor rates payable out of same. 20

Poor rate collectors to attend revision courts.

15. In each court of revision holden in or for any county, city, town, or borough, every collector of poor rate or other officer or person having the custody of any rate or rate-books (whose duty it is under any Act to assist in the preparation, revision, or correction of the lists of voters) shall attend before the county court judge, 25 chairman, or revising barrister, and shall answer upon oath all such questions as such county court judge, chairman, or revising barrister may put to him; and it shall be lawful for the county court judge, chairman, or revising barrister, from time to time as there shall be occasion, to fine any such collector of poor rate or other officer who 30 shall be guilty of any breach of duty in execution of this Act any sum not exceeding *five pounds*.

Remuneration to poor rate collectors.

16. The guardians of the poor of each union shall, by order, make such annual allowance out of the rates to the poor rate collectors, as compensation for the duty by this Act imposed upon 35 them, as the said guardians now allow under the ninth section of the Juries Procedure (Ireland) Act, 1876.

Power of revising barrister to summon witnesses, 41 & 42 Vict. c. 36, s. 36.

17. A county court judge, chairman, or revising barrister may by summons under his hand require any person to attend at the court and give evidence or produce documents for the purpose of 40 any revision of parliamentary voters, and any person who after the tender to him of a reasonable amount for his expenses fails so to

attend, or who fails to answer any question put to him in pursuance of this section, or to produce any document which he is required in pursuance of this section to produce, shall be liable to pay such fine, not exceeding *five pounds*, as may be imposed by the county court judge, chairman, or revising barrister; such fine may be recovered in the same manner as any other fine imposed under the Parliamentary Voters (Ireland) Act, 1850.

A.D. 1881.

18. Every county court judge, chairman, or revising barrister whose duty it is to revise the lists for a parliamentary borough containing, according to the last census for the time being, more than ten thousand inhabitants, shall hold at least one evening sitting of his court in such borough. An evening sitting shall commence not earlier than six nor later than seven o'clock in the evening, and shall be of such duration as, in the opinion of the chairman, county court judge, or revising barrister, shall be reasonable.

Evening sittings of revision courts.

Special notice or notices of an evening sitting or of evening sittings to be held in a borough shall be published by the town clerk in such manner as the chairman, county court judge, or revising barrister may direct.

19. From and after the *first day of January one thousand eight hundred and eighty-five* the register for each county in Ireland, except the registers then in force, and every list of voters or list of claimants for such county, shall contain the post town of the place of abode of every person whose name shall be upon such register, list of voters, or list of claimants for such county; and such post town shall be taken as portion of the description of the place of abode of the person whose name appears on the list of voters or list of claimants: Provided that such person shall not be deprived of the right to be registered as a voter by reason of the omission or incorrect statement of the post town of his place of abode in any list of voters not being a list of claimants.

Registers, lists of voters, &c. for counties to contain post towns of places of abode of persons on such register and lists.

20. All precepts, instruments, proceedings, and notices relating to the registration of voters shall be framed and expressed in such manner and form as may be necessary for the carrying of the provisions of this Act into effect.

Precepts, &c. to be made conformable to this Act.

A.D. 1884.

SCHEDULES.

SCHEDULE A.

NOTICE OF OBJECTION to be given to PARTIES objected to by any
PERSON other than the CLERK of the PEACE or CLERK of the
UNION, or POOR RATE COLLECTOR. 5

Polling district of

To Mr. , of

Take notice that I object to your name [*in the notice to the
tenant, instead of the words "your name," insert the name of the
person objected to*] being retained on the list for this polling 10
district of voters for the county of [or borough of
, and I ground my objection on the column of the
register headed—

"Christian name and surname of each person on the register ; "

Or on the column headed — 15

"Place of abode ; "

Or on the column headed—

"Nature of qualification ; "

Or on the column headed—

"Amount of qualification or rating ; " 20

Or on the column headed—

"Townland or other denomination, street, lane, or other like
place in this polling district, &c."

Dated this day of one

thousand eight hundred and 25

Signed A.B., of [*place of abode*], being now registered
[or] on the register of voters or list of voters [*as the
case may be*] for the county of
[or borough of].

SCHEDULE B.

A.D. 1884.

PARLIAMENTARY (LODGERS).

To the poor rate collectors of the parish or township of

I claim to have my name inserted in the list of persons entitled to vote at the election of a member [*or members*] to serve in Parliament for the parliamentary borough of in respect of the qualification named below :—

Name of Claimant in full, Surname being first.	Description of Rooms	Amount of Rent paid.	Name and Address of Landlord.
10 Byrne, William	Two rooms— First floor, furnished or unfurnished.	8s. a week or 4s. a week.	William Daly, George Street.

I hereby declare that I have, during the twelve calendar months immediately preceding the twentieth of July in this year, occupied as sole tenant [*or as joint tenant with*] and resided in the above-mentioned lodgings, and that those lodgings are of a clear yearly value, if let unfurnished, of ten [*or twenty*] pounds or upwards, and I hereby declare that I am on the register of parliamentary voters for the said parliamentary borough in respect of the same lodgings as above mentioned, and I desire to have my name inserted in the list of lodger voters published on or before the first day of

Dated the day of 18 .

(Signed) A.B. [*Claimant*].

I, the undersigned, hereby declare that I have witnessed the signature of the above-named [*here state name of claimant*], at the date stated above, and that I believe the above claim to be correct.

Dated the day of 18 .

(Signed) C.D., of

[*state residence and calling of witness*].

NOTE.—If the claim is in respect of different rooms successively occupied as lodgings in the same house, the notice of claim must specify each room or set of rooms so occupied. If the claimant is on the register in respect of the same lodgings, and desires to have his name inserted on the list of lodger voters, he must send in his claim on or before the fourth of August.

If there are two joint lodgers the yearly value of the lodgings must be twenty pounds or upwards.

Registration of Voters (Ireland).

A

BILL

To amend the Law relating to the
Registration of Parliamentary and
other Voters in Ireland.

(*Introduced and brought in by
Mr. Sturt, Mr. Connel, Mr. Dawson,
Mr. O'Brien, and Mr. Grogan.*)

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